REMARKS

The claims have been amended to specify the maximum height of a void volume upstream of a filter or within a filter (spoors) in order to prevent separation of a slurry being filtered into its constituent parts (particles and liquid). Support for these limitations is found at page 13, lines 30-32 and page 7, lines 10-11.

Claims 1-9 and 15-17 have been rejected under 35 USC 112, first paragraph as failing to comply with the enablement requirement. The claims have been amended to define "open void volume" in a manner set forth in the specification. Accordingly, this ground of rejection should be withdrawn.

Claims 1-9 and 15-17 have been rejected under 35 USC 112, second paragraph as being unclear by the recitation "being free of an open void upstream of the depth filter". The claims have been amended to recite the nature of the void volume. Support for the amended claim is found in the specification as set forth above and at page 4, lines 18-24 of applicants' specification. Accordingly, this ground of rejection should be withdrawn.

Claims 1-5 have been rejected under 35 USC 102(b) over Ellefson (US 5,472,600). Ellefson desires a gradient filter formed of microfiber sheets. The filter is used to remove insoluble materials from a liquid. A representative filter is about 2.5 mm thick (Col. 4, lines 50-52). As shown in Fig. 3, space 36 is at least 13 times higher than the filter disk stack or 3.25 cm, i.e., about 1.5 inch. Ellefson also does not suggest a solution to the problem of filtering a slurry without it being separated into its constituent parts. Accordingly, this ground of rejection should be withdrawn.

In view of the above, it is submitted that applicants' claims define patentable subject matter and a Notice of Allowance to that effect is respectfully requested.

Respectfully submitted,

By _____

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